

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventorship ..... Krishnan  
 Applicant ..... Microsoft Corporation  
 Attorney's Docket No. .... MS1-327USC1  
 Title: Adaptive Bandwidth Throttling For Network Services

## TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

To: Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

From: Allan T. Sponseller (509) 324-9256  
 Lee & Hayes, PLLC  
 421 W. Riverside Avenue, Suite 500  
 Spokane, WA 99201

The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

1. Transmittal Letter with Certificate of Mailing included.
2. PTO Return Postcard Receipt
3. Fee Transmittal
4. Check in the amount of \$1,878.00
5. New patent application (title page plus 50 pages, including claims 1-56 & Abstract)
6. Executed Declaration
7. 13 sheets of formal drawings (Figs. 1-14)
8. Assignment w/Recordation Cover Sheet
9. Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)

Large Entity Status ☒ [x]

Small Entity Status ☐ [ ]

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 in connection with any patent application filing fees under 37 CFR 1.16, and any processing fees under 37 CFR 1.17.

Date: 3/7/2001

By: [Signature]  
 Allan T. Sponseller  
 Reg. No. 38,318

## CERTIFICATE OF MAILING

I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as either first class mail, or Express Mail if the blank for Express Mail No. is completed below, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. Any Express Mail No. has also been marked on the listed items.

Express Mail No. (if applicable) EL764086618

Date: 3/7/01

By: [Signature]  
 LeAnn M. Sassman

EL764086618

PTO/SB/17 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT

(\$1878.00)

## Complete if Known

Application Number

Filing Date

First Named Inventor

Krishnan

Examiner Name

Group Art Unit

Attorney Docket No.

MSI-32745C1

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

12-0769

Deposit  
Account  
Name

Lee + Hayes, PLLC

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

Fee Paid

710

SUBTOTAL (1) (\$710)

## 2. EXTRA CLAIM FEES

Total Claims 50 -20\*\* = 30 X Fee from below 18 = 540  
Independent Claims 9 - 3\*\* = 6 X 80 = 480  
Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 \*\* Reissue independent claims  
over original patent110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent

SUBTOTAL (2)

(\$1128)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$40)

## SUBMITTED BY

Name (Print/Type)

Allan T. Sponseller

Registration No.  
(Attorney/Agent)

38,318

## Complete (if applicable)

Telephone

(504) 324-9254

Signature

Date

3/7/2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

EL 64007

PTO/SB/35 (11-00)

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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Krishnan
Title	Adaptive Bandwidth Throttling for Network Services
Atty Docket Number	MS1-327USC1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

3/7/2001

Date

  
Signature (Reg. No. 58,318)

Allan T. Sponseller

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231